

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ADAM R. BENAVIDES, JAMES DUFFY,	§	
FRANCO TAIBI, WILLIAM B.	§	
ALIMOVIC, EDWARD CATALANO,	§	
CELESTE EVANGELISTA, IVETTE	§	
LAMA, RICARDO S. LIDDIE, THOMAS	§	
MCMAHON, EDWARD SPANDONI,	§	
MICHAEL ULLMAN and MICHAEL	§	
DUPOUX, on Behalf of Themselves and	§	
Others Similarly Situated	§	
Plaintiffs,	§	
	§	
vs.	§	CIVIL ACTION NO. H-06-0029
	§	[FLSA "Collective" Action]
	§	
HOME DEPOT USA, INC., Individually	§	Jury Trial Demanded
and d/b/a THE HOME DEPOT	§	
Defendant.	§	

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**ORDER OF DISMISSAL WITHOUT PREJUDICE**

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IT IS ORDERED that all ADAM R. BENAVIDES, JAMES DUFFY, FRANCO TAIBI, WILLIAM B. ALIMOVIC, EDWARD CATALANO, CELESTE EVANGELISTA, IVETTE LAMA, RICARDO S. LIDDIE, THOMAS MCMAHON, EDWARD SPANDONI, MICHAEL ULLMAN and MICHAEL DUPOUX (collectively "Plaintiffs") claims against Defendants are hereby dismissed without prejudice.

It is further ORDERED that all costs shall be borne by the party incurring same.

SIGNED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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JUDGE PRESIDING